

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:99CR3074
	)	
Plaintiff,	)	
	)	ORDER
v.	)	
	)	
THOMAS P. McGINN,	)	
	)	
Defendant.	)	

On May 2, 2005, the defendant appeared in person with his attorney, Dana M. London. The United States was represented by Sara E. Fullerton, Assistant United States Attorney. Upon accepting the defendant's admission of the allegations that he violated standard condition number 8 and the special condition pursuant to 18 USC 3583(d) of his supervised release, the Court found that the defendant did violate the terms and conditions of supervised release as alleged in the Amended Petition for Warrant of Summons for Offender Under Supervision (filing 58).

On June 14, 2005, a dispositional hearing was held. The United States was represented by Sara E. Fullerton, Assistant United States Attorney. The defendant was present and represented by Dana M. London.

The Court finds that the defendant's supervised release should not be revoked.

IT IS ORDERED that defendant's supervised release is continued for 5 years from June 14, 2005, under the same terms and conditions as set forth in the Amended Judgment entered March 26, 2001, by the Honorable Richard G. Kopf in the U.S. District Court for the District of Nebraska, with the following additional conditions:

- 1) The defendant must remain at the Oxford House for no less than 1 year and as long as the Oxford House concludes the defendant should stay. If the defendant violates any of the rules of the Oxford House, that will constitute a breach of this condition of supervised release
- 2) Pursuant to 18 USC 3583(d), defendant shall submit to a drug test within fifteen (15) days of release on Supervised Release and at least two (2) periodic drug tests thereafter to determine whether defendant is using a controlled substance. Further, defendant shall submit to such testing as requested by any United States Probation Officer to detect the presence of alcohol or controlled substances in the defendant's body fluids and to determine whether the defendant has used any of those substances. Defendant shall pay for the collection of samples to be tested for the presence of alcohol and/or controlled substances. The testing will be done in such manner as the Probation Officer chooses to have it done.

- 3) If the defendant is discharged, kicked out, or leaves the Oxford House for any reason, he must immediately report it to the Probation Officer and defendant's counsel.

DATED this 14<sup>th</sup> day of June, 2005.

BY THE COURT:

s/ Warren K. Urbom  
United States Senior District Judge

CLERK'S OFFICE USE ONLY:

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: \_\_\_\_\_

DENISE M. LUCKS, CLERK

By \_\_\_\_\_ Deputy Clerk